

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-30 (canceled).

31. (Presently amended) A transmission rate control apparatus comprising:

reception circuitry that receives information of a received reception quality measured at a communication terminal without receiving in the absence of any indication of rate control information from the communication terminal specifying transmission rate based on the received reception quality; and

transmission rate control circuitry that changes a transmission rate to said communication terminal based on the information of received reception quality,

wherein said reception circuitry and said transmission rate control circuitry are separate from said communication terminal, and

wherein said transmission rate control circuitry decreases the transmission rate when the received reception quality at a side of said communication terminal deteriorates.

32. (Presently amended) The transmission rate control apparatus according to claim 31, wherein, after said transmission

rate control circuitry decreases the transmission rate when the received reception quality at a side of said communication terminal deteriorates, said transmission rate control circuitry changes the transmission rate to an original value when the received reception quality at the side of said communication terminal subsequently improves.

33. ((Presently amended) A base station apparatus provided with a transmission rate control apparatus, said transmission rate control apparatus comprising:

reception circuitry that receives information of a received reception quality measured at a communication terminal without receiving in the absence of any indication of rate control information from the communication terminal specifying a transmission rate based on the received reception quality; and

transmission rate control circuitry that changes a transmission rate to said communication terminal based on the information of received reception quality,

wherein said transmission rate control circuitry decreases the transmission rate when the received reception quality at a side of said communication terminal deteriorates.

34. (Presently amended) The base station apparatus according to claim 33, wherein, after said transmission rate control circuitry decreases the transmission rate when the received reception quality at a side of said communication terminal deteriorates, said transmission rate control circuitry changes the transmission rate to an original value when the received reception quality at the side of said communication terminal subsequently improves.

35. ((Presently amended) A communication terminal apparatus comprising:

monitor circuitry that monitors a received reception quality;

judgment circuitry that judges whether the received reception quality deteriorates; and

transmission circuitry that transmits the received reception quality at a timing at which said judgment circuitry judges that the received reception quality deteriorates and that does not transmit rate control information specifying a transmission rate based on the received reception quality.